

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

After entry of the foregoing amendment, Claims 15-26 are pending in the present application. Claims 1-14 are canceled without prejudice or disclaimer and Claims 15-26 are added without introduction of new matter, by the present amendment.

In the outstanding Office Action, Claims 1-14 were rejected under 35 U.S.C. 103(a) as unpatentable over U.S. Patent No. 6,175,831 B1 to Weinreich et al. (hereinafter "Weinreich"). That rejection is respectfully traversed.

New independent Claim 15 is directed to a server connected to terminals used by members via a network. The server, which establishes and updates relationships between the members, includes:

a database configured to store personal attributes of each member, the personal attributes including an identification code, a name, a specialized field, and relationship coefficient data indicating degrees of relationship between each member and other members;

a message communicator configured to communicate a first message from one member to another member and configured to communicate a respective response to the first message from the another member to the one member, the response establishing a relationship between the one member and the another member;

a database update unit configured to update, when the relationship is established between the one member and the another member, the relationship coefficient data indicating degrees of relationship between (1) the one member and the another member, (2) the one member and members having relationships with the another member, and (3) the another member and members having relationships with the one member; and

a data retriever configured to identify target members having personal attributes satisfying one or more key words of a search criteria, the key words including at least a relationship coefficient data value indicating the degree of relationship between the target members and a particular member.

New independent Claim 20 recites similar features in method claim format. New dependent Claims 16-19 and 21-26 depend directly or indirectly from new independent

Claims 15 and 20. Support for new Claims 15-26 is evident from at least the non-limiting embodiment described below and from Claims 1-15 as originally filed.

With respect to the above-noted embodiment, the substitute specification filed March 8, 2002, describes a career networking function of the claimed invention. Referring to Figure 4, a new member B may enter his name, occupation, email address, technical field, and other personal data, as well as the name of an introducer A, into the server.¹ The introducer A then receives a request from the server to verify the personal data, upon which the confirmed personal data is stored by the server.² Alternatively, the introducer A may enter the personal data of the new user B, and the new user B receives a request to verify the personal data.³ In either matter, the personal data of new user B is verified before it is stored by the server; and new member B and introducer A will form a relationship as a result of the above transaction.

The new user B can establish a relationship with another member by sending a protocol email via the server to that member.⁴ A relationship is established when the other member affirms the protocol email of the new member B.⁵ Relationship coefficient data, which indicates the number of relationships separating two members, is created each time a new relationship is established.⁶ In this embodiment, a maximum value of one (1) is assigned as the relationship coefficient for two members having a relationship, and that value is halved for every member required to link the two members by relationships.⁷ A minimum value of 0.25 is assigned where two or more other members are required to link the two members.⁸

¹ Substitute Specification, para. 50.

² Substitute Specification, para. 51.

³ Substitute Specification, para. 52.

⁴ Substitute Specification, para. 55.

⁵ Substitute Specification, para. 55.

⁶ Substitute Specification, para. 58.

⁷ Substitute Specification, para. 72.

⁸ Substitute Specification, para. 72.

Relationship coefficient data is updated for members each time a new relationship is established. If new member B establishes a relationship with another member C, the relationship coefficient data will be updated not only for B with respect to C, but also for A and C with respect to one another (because of member A's relationship with member B).⁹ If another member D had a relationship with member C, then relationship coefficient data will also be updated with respect B and D, and also A and D.¹⁰

A registered member may search for other members having personal data satisfying a given search criteria, such as an occupation, technical field, or relationship coefficient value (e.g., minimum of 0.5) with respect to a particular member.¹¹ Thus, new member B may search for a member having a high relationship coefficient with respect to members sharing his field of expertise.

The outstanding Office Action cites Weinreich as teaching the features of Claims 1-15 as originally filed. Applicants respectfully submit that Weinreich does not teach the features of new independent Claims 15 and 20.

At the least, Weinreich does not teach a data retriever configured to identify members having relationship coefficients indicating a specific degree of relationship between those members and a particular member. Thus, the teachings of Weinreich would not enable a user to search for other members of the network that engage in a particular occupation *and* that are separated from another particular member (including but not limited to the user) by a specified degree of separation.

Rather, in Weinreich, a user can only search for other members satisfying a given search criteria (e.g., occupation and name). A list of those members satisfying the criteria is then provided to the user.¹² Only thereafter, the user may determine the degrees of separation

⁹ Substitute Specification, para. 67-71.

¹⁰ Substitute Specification, para. 67-71.

¹¹ Substitute Specification, para. 62-64.

¹² Weinreich, col. 19, lines 45-50.

between himself and a member on the list.¹³ In other words, a user may “find a linkage of defined relationships between it and the member responsive to the search”, but there is absolutely no indication that a specific degree of separation may be included as a component of that search.¹⁴

At best, the user may “search for other members that he is connected to directly or indirectly by defined relationships confirmed to be valid, based on one or more of the criteria entered in the member’s personal profile [such as skills and geography]”.¹⁵ By the term “defined relationships”, Weinreich is not suggesting that a specific degree of separation may be provided as part of the search. Rather, “defined relationship” appears to merely indicate the particular status or type of direct relationship (i.e., no separation) between two members.¹⁶ It bears further mention that none of Weinreich’s teachings suggest that a search could be conducted based on a specified degree of relationship between the search target and a member other than the user.

The lack of a suggestion to search by a specified degree of separation is further evidenced by the complete lack of a description of such a feature in the “Object and Summary of the Invention”. Further, based on that summary, it appears a user is left to parse through a list of search results for particular members having the desired degree of separation.¹⁷

Accordingly, as Weinreich does not teach or suggest at least the claimed data retriever, Applicants respectfully submit that the rejection of Claims 1-14, under 35 U.S.C. 103(a) as unpatentable over Weinreich, is inapplicable to new Claims 15-28.

Applicants respectfully submit that new dependent Claims 16, 17, 21, 22, 25, and 26 further distinguish over Weinreich for reasons evident from the above remarks. Regarding

¹³ Weinreich, col. 19, lines 45-50.

¹⁴ Weinreich, col. 19, lines 8-26.

¹⁵ Weinreich, col. 20, lines 40-54.

¹⁶ Weinreich, col. 8, lines 59-65; col. 12, line 48 – col. 13, line 50.

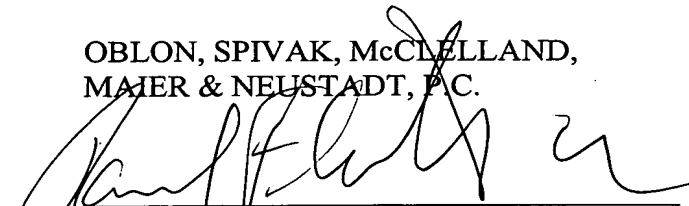
¹⁷ Weinreich, col. 4, lines 5-37.

new dependent Claims 18, 19, 23, and 24, Applicants note that those claims provide for verification of a new member's name and specialized field, as explained with respect to the non-limiting embodiment discussed above. Weinreich teaches two embodiments for creating new members,¹⁸ of which only the second embodiment involves two users USER 1 and USER 2.¹⁹ In that embodiment, USER 2 does not verify the personal data of USER 1.²⁰ Further, the "Object and Summary of the Invention" strongly suggests that USER 2 may confirm or even modify the type of relationship between them, but may not verify personal data of USER 1, nonetheless his name and specialized field.²¹

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Attorney of Record
Registration No. 25,599

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413-2220
(OSMMN 06/04)

Raymond F. Cardillo
Registration No. 40,440

GJM/RFC/STD/kke

I:\ATTY\STD\21's\215086US\215086US.AM.DOC

¹⁸ Weinreich, col. 6, line 4.

¹⁹ Weinreich, col. 8, line 25.

²⁰ Weinreich, col. 8, line 25 – col. 9, line 2.

²¹ Weinreich, col. 2, line 54 – col. 3, line 32.